

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION  
AT MACON, GEORGIA



**MINUTE SHEET OF COURT PROCEEDING [CONTESTED]**

Date: November 14, 2017

Hearing Type: Jury Trial-Day 2

Judge: **LESLIE J. ABRAMS**

Court Reporter: Darlene Fuller

Courtroom Deputy: Felicia Rushing

Law Clerk: Kristin Royal

**Case Number: 5:13-cv-306(LJA)**

YKK CORPORATION, *et al.*

Counsel: Steven D Moore  
David Alan Reed  
Michael A Bertelson  
Courtney S Dabbiere

vs.

VELCRO USA INC

Counsel: Christopher O Green  
Bailey K Benedict  
Frank E Scherkenbach  
Sara Fish  
Thad C Kodish  
Jacqueline Tio  
Lawrence Jarvis

---

**DISCLAIMER: CONTENTS OF THIS MINUTE SHEET ARE FOR ADMINISTRATIVE PURPOSES ONLY AND ARE NOT MEANT AS A SUBSTITUTION FOR THE OFFICIAL COURT RECORD. ATTORNEYS SHOULD CONTACT THE COURT REPORTER AND ORDER A TRANSCRIPT IF THERE ARE ANY QUESTIONS AS TO THE CONTENTS HEREIN.**

---

---

***Court time for JS10/MJSTAR: 6/51***

---

8:50 Called to order. Preliminary remarks by the Court.  
Matters taken up outside presence of jury.  
9:24 Jury returned. Cross examination resumed.  
9:26 Mr. Moore objected. Sidebar. Cross examination continued.  
9:39 Mr. Moore re-direct examination.  
9:50 Mr. Green re-cross examination.  
9:51 Mr. Moore objected. The Court sustained. Re-cross examination continued.  
Mr. Moore objected. The Court sustained. Re-cross examination continued.  
9:53 Witness excused. Witness Earl Cowley video deposition published.  
10:13 Sidebar. Video deposition continued.

5:13-cv-306 (LJA)  
YKK CORPORATION et al v. VELCRO USA INC

11/14/17  
Page 2

---

10:32 Joint Exhibits J013, J061, J063 and Plaintiffs' Exhibits P130, P272, P275 admitted.  
Jury excused. Matters taken up outside presence of jury.

10:37 Recessed.

10:55 Resumed. Mr. Reed corrected Plaintiffs' Exhibits tendered.  
Joint Exhibits J013, J061 and Plaintiffs' Exhibits P230, P272, P275, P277 admitted.  
Joint Exhibit J063 withdrawn. Jury returned.

10:58 Witness Alex McLuckie video deposition published.

11:19 Plaintiffs' Exhibits P003 and P290 tendered. Witness Nubuo Fujisawa called.  
Interpreter sworn. Witness sworn. Mr. Reed direct examination.

11:35 Joint Exhibit J047 admitted.

11:53 Mr. Kodish objected. The Court overruled. Direct examination continued.

12:03 Jury excused. Matters taken up outside presence of jury.  
Discussion re: exhibits and confidentiality in courtroom.

12:09 Recessed.

12:50 Resumed. Matters taken up outside presence of jury.

1:23 Jury returned. Sidebar.

1:29 Mr. Kodish cross examination.

1:43 Joint Exhibit J064 admitted. Cross examination continued.

1:50 Defendants' Exhibit D178 admitted. Cross examination continued.

2:04 Witness excused. The parties conferred.

2:06 Jury instructions by the Court. Non-attorneys excused from courtroom.

2:07 Witness Mark Clarner video deposition published.

2:16 Witness Paul Voight video deposition published.

2:25 Witness Michael Cina video deposition published.

2:41 Joint Exhibit J056, J066 and Plaintiffs' Exhibits P047, P050, P051, P266, P249, P258  
admitted.  
Plaintiffs' Exhibit P034 tendered. Ms. Tio objected. The Court reserved ruling.

2:44 Witness Dr. John Pratt called. Witness sworn. Mr. Moore direct examination.

2:53 Dr. Pratt admitted as an expert witness. Jury instructions by the Court.  
Direct examination continued.850

2:56 Plaintiffs' Exhibits PX14, PX15 and PX17 identified. Direct examination continued.

3:03 Plaintiffs' Exhibits PX 12a, PX 12b, PX 13a, PX 13b, PX 13c and PX 13d identified.  
Direct examination continued.

3:05 Plaintiffs' Exhibits PX 12a, PX 12b, PX 13a, PX 13b, PX 13c, PX 13d PX14, PX15 and  
PX17 admitted. Direct examination continued.

3:21 Jury excused. Matters taken up outside presence of jury.

3:56 Recessed.

4:10 Resumed. Ms. Tio objected to Plaintiffs' Exhibit P091. Counsel made arguments.  
The Court allowed Plaintiffs' Exhibit P091 with restricted publishing.  
Ms. Tio objected to Plaintiffs' Exhibit's P258. Exhibit withdrawn and Plaintiffs' Exhibit  
P095 admitted. Ms. Tio renewed objection to Plaintiffs' Exhibit P034. Exhibit withdrawn  
and Joint Exhibit J015 admitted.

4:15 Jury returned. Direct examination continued.

4:50 Jury excused. Matters taken up outside presence of jury.

4:54 Recessed.